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10 SAUCE FACTORY, LTD.

11 UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 KOON CHUN HING KEE SOY &  
14 SAUCE FACTORY, LTD., a company  
15 organized under the laws of Hong Kong,

16 Plaintiff,

17 v.

18 EASTIMPEX, a California corporation, WELL  
19 LUCK CO., INC., a New Jersey corporation,  
20 and SUPER LUCK CO., INC. a California  
21 corporation; EBJ WHOLESALE  
22 CORPORATION, a California corporation;  
23 L. A. VICTORY, INC., a California  
24 corporation; JOE P. ZHAO, a California  
25 resident; AMERICA FOOD INT'L CORP., a  
26 California corporation; GIANT UNION  
27 COMPANY, INC., a California corporation,

28 Defendants.

Case No. C 04-4146 MMC

**PERMANENT INJUNCTION AGAINST  
DEFENDANT AMERICA FOOD INT'L  
CORP.**

On February 2, 2007, the Court granted plaintiff's application for default judgment against defendant America Food Int'l Corp. ("AFIC"), and, inter alia, found plaintiff was entitled to a permanent injunction to prohibit AFIC from further engaging in acts of infringement and unfair competition pertaining to usage of plaintiff's trademarks and trade dress.

The Court now provides the specific equitable relief sought by plaintiff.

Defendant AFIC, its officers, directors, principals, agents, servants, employees, attorneys, successors and assigns, and all those acting in concert or participation with them be, and they hereby are PERMANENTLY RESTRAINED from:

- a) imitating, copying or making unauthorized use of the registered trademark **KOON CHUN SAUCE FACTORY and Design** ("Plaintiff's Trademark"), including affixing, applying, or annexing or using Plaintiff's Trademark in connection with any product, any designs, containers, labels, displays, signs, prints, packages, wrappers, receptacles, promotions, or advertisements bearing any simulation, reproduction, counterfeit, copy or colorable imitation of Plaintiff's Trademark or any other false designation of origin, false description or representation, and from causing said products to enter into commerce, or causing or procuring the same to be transported or to be used in commerce, or delivering the same to any carrier to be transported or used in commerce;
- b) manufacturing, producing, distributing, importing, accepting for consignment, shipping, circulating, selling, offering for sale, advertising, promoting or displaying any product bearing any simulation, reproduction, counterfeit, copy or colorable imitation of Plaintiff's Trademark and/or any other trademarks so similar as to be likely to cause confusion, to cause mistake, or to deceive;
- c) using any simulation, reproduction, counterfeit, copy or colorable imitation of Plaintiffs' Trademarks or any terms confusingly similar thereto in connection with the importation, shipment, promotion, advertisement, display, sale, offering for sale, manufacture, production, circulation or distribution of any product;

- 1 d) making any statement or representation or using any false designation of origin or  
2 false description (including, without limitation, any letters or symbols), or  
3 performing any act, which can or is likely to lead the trade or public, or individual  
4 members thereof, to believe that any product manufactured, distributed or sold by  
5 defendants is in any manner associated or connected with the plaintiff, or is sold,  
6 manufactured, licensed, sponsored, approved or authorized by the plaintiff or  
7 comes from the same source as plaintiff's goods, and from otherwise competing  
8 unfairly with plaintiff and injuring their business reputations;
- 9 e) engaging in any other activity constituting unfair competition with plaintiff, or  
10 constituting an infringement of Plaintiff's Trademark, or any of plaintiff's rights in  
11 or to use or to exploit said trademark, or constituting any dilution of Plaintiff's  
12 Trademarks, reputation or good will;
- 13 f) destroying, buying, selling or otherwise disposing of any merchandise bearing  
14 Plaintiff's Trademark which is not manufactured by the plaintiff, and instead  
15 delivering the same to plaintiff or to an agent authorized to act on behalf of plaintiff  
16 for destruction;
- 17 g) with regard to non-genuine goods, destroying, transferring, secreting or otherwise  
18 disposing of any documents, books or records relating to the purchase, sale,  
19 importation or shipment of sauces or any merchandise bearing Plaintiff's  
20 Trademark or any counterfeit or simulation thereof or any other trademark so  
21 similar so as to cause confusion, mistake or deception;
- 22 h) passing off, inducing or enabling others to pass off any counterfeit product or  
23 products bearing Plaintiff's Trademark or other trademarks so similar as to cause  
24 confusion; and

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1 i) assisting, aiding or abetting any other person or business entity in engaging in or  
2 performing any of the activities referred to herein.  
3

4 IT IS SO ORDERED.  
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6 Dated: March 12, 2007

  
MAXINE M. CHESNEY  
United States District Judge